

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

LEONEL RIVERA,

Defendant.

No. 2:97-cr-00040 WBS

ORDER

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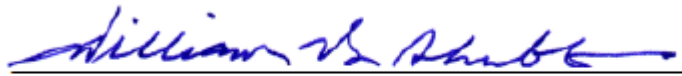
Defendant Leonel Rivera has filed a Motion for Compassionate Release Pursuant to 18 U.S.C. § 3582(c)(1)(A) (Docket No. 276). The court previously denied a similar motion based on defendant's failure to exhaust his administrative remedies. (Docket No. 273.) Defendant now represents, and it appears from the record, that defendant has now properly presented a request for compassionate release to his warden and has now exhausted his administrative remedies. More importantly, the government does not oppose defendant's request for release

1 based on his medical conditions and notes that (1) he is
2 scheduled to be released from BOP custody on March 26, 2024, and
3 (2) he has a final order of removal and will be released into ICE
4 custody for immediate deportation once he is released from
5 prison. (Docket No. 281.)

6 In light of the parties' agreement and defendant's
7 submissions, and under all the relevant factors set forth in 18
8 U.S.C. § 3553(a), the court will grant the motion under 18 U.S.C.
9 3582(c) (1) (A) .

10 IT IS THEREFORE ORDERED that the term of imprisonment
11 imposed on defendant Leonel Rivera on April 26, 2000 is reduced
12 to a sentence of time served, effective as of the date of this
13 order. IT IS FURTHER ORDERED that all other terms and provisions
14 of the original judgment remain in effect. The clerk shall
15 prepare an amended judgment reflecting the above reduction in
16 sentence.

17 Dated: February 21, 2024



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE